

# EXHIBIT AA

THE STATUTES:  
REVISED EDITION.

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VOL. I.  
HENRY III. TO JAMES II.  
A.D. 1235-1685.

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By Authority.

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1870.

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Item le Roi comande q̄ les viscontes & Baillifs des franchises, & toutz autrs q̄ pnen enditemenz a lor tourns, ou aillieurs ou enditemenz s̄ront faitz, preignent tieux enditemenz p̄ roule endente dount Lune ptie demeorge v̄s les enditours, & lautre ptie dev̄s cely q̄i prendra Lenqueste, issint q̄ les enditemenz ne soient beseleez come avant ces heures ount este, & issint q̄ un de lenqueste peut monstrar lune ptie de lendenture a la Justice q̄nt il vendra p̄ la deliuaunce faire.

Item, the King commandeth, that the sheriffs and bailiffs of franchises, and all other that do take indictments in their turns, or elsewhere, where indictments ought to be made, shall take such indictment by roll indented, whereof the one part shall remain with the inditors, and the other part with him that taketh the inquest; so that the indictments shall not be imbezilled as they have been in times past; and so that one of the inquest may shew the one part of the indenture to the justices, when they come to make deliverance.

XVII.  
Indictments  
shall be taken  
by indenture.

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2 EDWARD III. A.D. 1328.

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**Statutū editū apud Norh't, anno r. R. E. t̄cii post  
conquestū sc'do.**

STATUTE made at NORTHAMPTON;  
In the SECOND Year of the Reign of K. EDWARD the THIRD  
after the Conquest.

*Ex magno Rot. Stat. in Turr. Lond.  
m. 28.*

**N**re seignr le Roi Edward, le tierz ap̄s le conqueste, a son plement tenuz a Norh't as trois semeins de Pasch, Lan de son regne secund, desiraunt q̄ la pees de sa tre, & les leis & estatuz avant ces heures ordenez & usez, soient gardez & meintenuz en touz poyntz, Al honr de dieu & de seinte eglise, & a cōe pfit du poeple, p̄ assent des Prelatz, Countes & Barons & autres gentz, & tote la cōe du roialme, au dit plement somons, ordena & establit en meisme le plement les choses sonthescrites en la forme q̄ sensuit.

OUR lord King Edward, the third after the conquest, at his Parliament holden at Northampton, at the three weeks of Easter, in the second year of his reign, desiring that the peace of his land, and his laws and statutes, ordained and used before this time, may be kept and maintained in all points; to the honour of God and of Holy Church, and to the common profit of the people, by assent of the prelates, earls, barons, and other great men, and all the commonalty summoned to the same Parliament, hath ordained and established in the said Parliament these things underwritten, in form following.

II.  
Pardons for  
felony.

27 Ed. I. c. 3.

Justices of  
assise and  
gaol delivery.

Oyers and  
terminers.

III.  
Riding or  
going armed  
in affray of the  
peace.

Item, whereas offenders have been greatly encouraged, because [the <sup>1</sup>] charters of pardon have been so easily granted in times past, of manslaughters, robberies, felonies, and other trespasses against the peace; it is ordained and enacted, that such charter shall not be granted, but only where the King may do it by his oath, that is to say, where a man slayeth another in his own defence, or by misfortune: [Rep., Stat. Law Rev. Act, 1863.] And also they have been encouraged, because that [<sup>2</sup> the justices of gaol-delivery, and of oyer and terminer, have been procured by great men <sup>2</sup>] against the form of the statute made in the xxvij year of the reign of King Edward, grandfather to our lord the King that now is, wherein is contained, that justices assigned to take assises, if they be laymen, shall make deliverance; and if the one be a clerk, and the other a layman, that the lay judge, with another of the country associate to him, shall deliver the gaols: Wherefore it is enacted, that such [justices <sup>3</sup>] shall not be made against the form of the said statute; and that the assises, attaunts, and certifications be taken before the justices commonly assigned, which should be good men and lawful, having knowledge of the law, and none other, after the form of another statute made in the time of the said [King Edward the First; <sup>4</sup>] and that the oyers and terminers shall not be granted but before justices of the one bench or the other, or the justices errants, and that for great [hurt,] or horrible trespasses, and of the King's special grace, after the form of the statute thereof ordained in time of the said grandfather, and none otherwise.

Item, it is enacted, that no man great nor small, of what condition

<sup>1</sup> that

<sup>2</sup> commissions of gaol delivery and of oyer and terminer have been granted to persons procured

<sup>3</sup> commissions

<sup>4</sup> grandfather

Ensement p<sup>r</sup> ceo q<sup>u</sup> m<sup>es</sup>sesours ont este esbauditz de ce q<sup>u</sup> chartres de pdoun ont este si leg<sup>ement</sup> g<sup>ant</sup>ees avant ces heures, des homicides, roties, felonies & autres trespasses contre la pees; acorde est & establi q<sup>u</sup> tiels chartres ne soient mes g<sup>ant</sup>ees fors q<sup>u</sup>en cas ou le Roi le poet faire p<sup>r</sup> son s<sup>ement</sup>, cest assavoir en cas ou home tue autre soi defendant, ou p<sup>r</sup> infortune: [Rep., Stat. Law Rev. Act, 1863.] Et auxint ont este esbauditz de ceo q<sup>u</sup> Justiceries as delivances des gaoles, & a oier & l<sup>min</sup>er, ont estez g<sup>ant</sup>ees as gentz p<sup>c</sup>urez contre forme de lestatut fait en temps le Roi Edward, ael n<sup>re</sup> Seign<sup>r</sup> le Roi qore est, en quele est contenuz q<sup>u</sup> les Justices as assises p<sup>ndre</sup> assignez sils soient lais, facent les delivances; et si lun soit cleric, & lautre lais, q<sup>u</sup> le dit lais, associe a lui un autre du pais, facent la delivance des gaoles; p<sup>r</sup> qoi acorde est & establi, q<sup>u</sup> tiels Justiceries ne soient mes g<sup>ant</sup>ees contre la forme du dit estatut, & q<sup>u</sup> les assises, atteintes, & tifications soient p<sup>i</sup>ses devant les Justices cōmunement assignez, q<sup>u</sup> soient bones gentz & loialx & conissantz de la lei, & nemie autres; solonc la forme dun autre statut fait en temps meisme le ael; et q<sup>u</sup> les oiers & l<sup>min</sup>ers ne soient grantees fors<sup>q</sup> ----- devant les Justices de lun Baunk & de lautre, ou les Justices errantz; & ce p<sup>r</sup> led & orrible trespasses, & de lespeciale g<sup>ace</sup> le Roi, solonc forme de statut de ce ordene en temps meisme le ael; & nemie autrement.

Ensement acorde est & establi, q<sup>u</sup> nul, g<sup>ant</sup> ne petit de quele condicion

qil soit, sauve les s̄jantz le Roi en la p̄sence le Roi, & les Ministres le Roi, enfesantz execucion des mandementz le Roi, ou de lour office, & ceux q̄i sont en lour compagnies, eidantz as ditz ministres, & auxint au cri de fait darmes de pees, & ce en lieux ou tielz faitz se ferront, soit si hardi de venir devant les Justices le Roi, ou autres Ministres le Roi enfesantz lour office, a force & armes ; ne force mesner en affrai de la pees, ne de chivaucher ne daler arme, ne de nuit ne de jour, en fairees, marchees, nen p̄sence des Justices, ne dautres Ministres, ne nule part aillours, sur peine de p̄dre lour armures au Roi & de lour corps a la prisone a la volunte le Roi. Et q̄ Justices le Roi en lour p̄sences, viscountes & autres Ministres le Roi en lour baillies, seign̄s des fraunchises & lour baillifs en yceles, & Meire & Baillifs des Citees & Burghs deinz meismes les Citees & Burghs, Burgh-aldres, constables, & gardeins de la pees deinz lour gardes, eient poair affaire execucion de cest acord. Et q̄ les Justices assignez, a lour venu en pais, eient poair denquere coment tielz Ministres & seign̄s ont use lour office en ce, & de punir ceux q̄ils trouvont, q̄i nount mie fait ce q̄ a lour office appent.

Et p̄ce q̄ la pees ne poet mie estre bien garde sauntz bons ministres, come

soever he be, except the King's servants in his presence, and his ministers in executing of the King's precepts, or of their office, and such as be in their company assisting them, and also [upon a cry made for arms to keep the peace, and the same in such places where such acts happen,<sup>1]</sup>] be so hardy to come before the King's justices, or other of the King's ministers doing their office, with force and arms, nor bring no force in affray of the peace, nor to go nor ride armed by night nor by day, in fairs, markets, nor in the presence of the justices or other ministers, nor in no part elsewhere, upon pain to forfeit their armour to the King, and their bodies to prison at the King's pleasure. And that the King's justices in their presence, sheriffs, and other ministers (<sup>2</sup>) in their bailiwicks, lords of franchises, and their bailiffs in the same, and mayors and bailiffs of cities and boroughs, within the same cities and boroughs, and borough-holders, constables, and wardens of the peace within their wards, shall have power to execute this act. And that the justices assigned, at their coming down into the country, shall have power to enquire how such officers and lords have exercised their offices in this case, and to punish them whom they find that have not done that which pertained to their office.

Item, because the peace cannot be well kept without good ministers, as

*1 upon a proclamation of deeds of arms in time of peace, and that in places where such deeds are to be done,*  
*—See Lib. Rub. Scac. Westm. fo. 122 b.*  
*a writ reciting a grant of K. Richard I.*  
*“qd Torneam̄ta sint in Angl in v. placias :*  
*In Sar̄ & Wilton : In Warrewich &*  
*Kenelingworth : In Stanford & Warneford : In Brakele & Mixeb̄ : In Blie &*  
*Tykehif. Ita qd pax fr̄e n̄re nō in-*  
*fringet, n̄c potestas Justiciaria minorabit.*  
*Nec de forestis n̄ris dāpnū inferet.”*  
*2 of the King*

IV.  
 The Statute of  
 Lincoln,  
 9 Edw. II.  
 concerning  
 sheriffs, &c.  
 confirmed.